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**FACSIMILE COVER SHEET**

April 6, 2004

TO: Examiner Krystyna Suchecki, Group Art Unit 2882  
TELEFAX NUMBER: 571-273-2495  
PHONE NUMBER: 571-272-2495  
COMPANY/FIRM: U.S. Patent & Trademark Office

FROM: Davy E. Zoneraich, Esq.  
Client/Matter Name:  
Client/Matter Number: PCUS-059 (103080-2), U.S. Appln. No. 09/899,329

**MESSAGE:**

We are transmitting 3 pages, including cover page(s). If the transmission is not complete, please call (908) 722-0700 extension 254 and ask for Lori Goldman.

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### Applicant Initiated Interview Request Form

Application No.: 09/899,329 First Named Applicant: J. Peter Johnsn  
 Examiner: K. Suchecki Art Unit: 2882 Status of Application: Non-Final Action

**Tentative Participants:**

(1) Davy E. Zonerach (2) \_\_\_\_\_

(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 4/14/04 Proposed Time: 11:00 (AM/PM)

**Type of Interview Requested:**

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1, 23</u>	<u>Logan et al., Nihei, U.S. Patent No. 5,621,841</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

See Attached

An interview was conducted on the above-identified application on 04/14/04.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Davy Zonerach  
 (Applicant/Applicant's Representative Signature)

K. Suchecki  
 (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

U.S. Serial No. 09/899,329

The prior art combinations cited by the Examiner do not teach or suggest the claimed loose tube optical fiber cable having, in relevant part, an 85% fill factor in a two inch duct and greater than 1000 optical fibers loosely contained in four or five tubes disposed around a central strength member. The prior art taught away from the claimed loose tube cable, i.e., buffer tubes disposed around a central strength member, to achieve a high fiber count while maintaining the claimed fill factor. See Logan article, of record and cited at page 2, paragraph 2 of specification, which suggests use of single tube and slotted core designs to achieve high fiber count.